

REMARKS

This application has been reviewed in light of the Office Action mailed on August 31, 2004. Applicant gratefully acknowledges withdrawal of the finality of the previous Office Action of April 27, 2004 and acceptance of the request for continued examination. Claims 1-3, 6, 9-11 and 19-30 are pending in the application. Applicant affirms election without traverse of Species A, Claims 1-3, 6, 9-11 and 19-29 in response to the Examiner's restriction requirement, and Claim 30 has been cancelled. Claims 1, 9 and 22 are in independent form. By the present amendment, Claim 26 has been amended, Claims 9-11, 19-21 and 30 have been cancelled. No new matter or issues are believed to be introduced by the amendments.

The Examiner states that new corrected drawings are required. It is respectfully submitted that the Applicant is filing formal drawings concurrently with the filing of this amendment.

The Examiner rejected Claims 1-3, 9-11 and 19-27 under the doctrine of obviousness-type double patenting as being unpatentable over Claims 1-4, 6-10, 13-16, 18, 21 and 22 of U.S. Patent No. 6,663,554. Claims 9-11 and 19-21 have been cancelled. Applicant is submitting a terminal disclosure along with this amendment in compliance with 37 C.F.R. Sec. 1.321(c), since the present application and U.S. Patent No. 6,663,554 are commonly owned. Accordingly, withdrawal of the rejection under the doctrine of obviousness-type double patenting, and allowance of Claims 1-3, 6, and 22-29 are respectfully requested.

Claim 26 is objected to by the Examiner because of an informality. Claim 26 has been amended to describe the therapeutic affect of dissolving blood clots within a vessel exposed as an external wound, which is consistent with the method of treating an external wound. Support for the amendment is provided in FIG. 5. Accordingly, withdrawal of the objection and allowance of Claim 26 are respectfully requested.

Claims 1-3, 6, 9-11 and 19-29 were rejected under 35 U.S.C. §112, first paragraph as failing to comply with the enabling requirement. Claims 9-11 and 19-21 have been cancelled. An affidavit together with the inventor's resume attached thereto is being submitted, together with this amendment, in order to overcome the rejection in accordance with the Examiner's request. Accordingly, withdrawal of the rejection under 35 U.S.C. §112, first paragraph, and allowance of Claims 1-3, 6, and 22-29 are respectfully requested.

Claims 9-11 and 19-21 were rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 9-11 and 19-21 have been cancelled.

Claims 9, 10 and 19-21 are rejected under 35 U.S.C. §102(b) as being anticipated by Martin et al. '499 of record. Claims 9, 10 and 19-21 have been cancelled.

Claims 9-11 and 19-21 are rejected under 35 U.S.C. §102(e) as being anticipated by Duarte '864 of record. Claims 9-11 and 19-21 have been cancelled.

Claims 9-11 and 19-21 are rejected under 35 U.S.C. §102(b) as being anticipated by Winder et al. '612 of record. Claims 9-11 and 19-21 have been cancelled.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-3, 6 and 22-29, are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant's undersigned attorney at (631) 501-5706.

Respectfully submitted,

A handwritten signature in black ink that reads "David M. Carter". The signature is written in a cursive, flowing style.

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